

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Jan BATZER et al.

Confirmation No. 6148

Serial No. : 10/824,102

Filed : April 13, 2004

For : COSMETIC OR DERMATOLOGICAL ACTIVE INGREDIENT
COMBINATION

REQUEST FOR REFUND

U.S. Patent and Trademark Office
Customer Service Window, Mail Stop 16
Randolph Building
401 Dulany Street
Alexandria, VA 22314

Sir:

Applicants respectfully request a refund in the amount of \$360.00 that was charged to our Deposit Account No. 19-0089 on October 21, 2008, in connection with the filing of the Notice of Appeal on October 10, 2008.

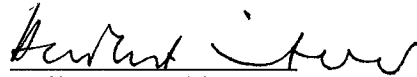
The basis of this Request for Refund is that the account was charged for filing the Request for Extension of Time on October 10, 2008. However, Applicants had already paid for a one-month Extension of Time by credit card, a copy of the electronic Acknowledgement receipt being attached hereto. Applicants also enclose a copy of our mailroom date-stamped filing receipt evidencing the filing of the same.

Applicants note that although the Notice of Appeal was filed more than four months after the May 27, 2008 Final Office Action, only a one-month extension was required. Specifically, Applicants filed a reply within two months from the mailing date of the May 27, 2008 Office Action (on July 28, 2008, July 27, 2008 having been a Sunday) and the Patent and Trademark Office did not mail the Advisory Action until September 12, 2008, i.e., more than three months from the mailing date of the May 27, 2008 Office Action. Accordingly, extension of time fees became due only after

September 12, 2008, i.e., not already after August 27, 2008 as apparently (and erroneously) assumed by the Patent and Trademark Office.

Please make payment of the refund to Deposit Account No. 19-0089.

Respectfully submitted,
Jan BATZER at al.



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December 16, 2008
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